



Australian Bureau of Statistics

1301.0 - Year Book Australia, 1908

ARCHIVED ISSUE Released at 11:30 AM (CANBERRA TIME) 01/01/1907

This article is extracted from Year Book Australia 1908 (pp. 51)

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TAKING POSSESSION OF AUSTRALIA

1. Annexation of Eastern Part of Australia.—Although as far back as 1503 a French navigator named J. Binot Paulmier, Sieur de Gonnevill, claimed to have landed on the west coast of Australia, and similar claims were put forward by the French and Portuguese in respect of alleged discoveries in 1531 and 1601 by Guillaume le Testre and Manoel Godinho de Eredia respectively, it was not until the 22nd August, 1770, that the history of Australia was brought into political connection with western civilization. It was on that date that Captain Cook took possession "of the whole eastern coast, from lat. 38° to this place, lat. 10 ¹/₂° S., in right of His Majesty King George the Third." Cook, however, proclaimed British sovereignty only over what are now the eastern parts of New South Wales and Queensland, and formal possession, on behalf of the British Crown, of the whole of the eastern part of the Australian Continent and Tasmania, was not taken until the 26th January, 1788. It was on this last date that Captain Phillip's commission, first issued to him on the 12th October, 1786, and amplified on the 2nd April, 1787, was read to the people whom he had brought with him in the "First Fleet."

2. Original Extent of New South Wales.—The commission appointed Phillip "Captain-General and Governor-in-Chief in and over our territory called New South Wales, extending from the Northern Cape or extremity of the coast called Cape York, in the latitude of ten degrees thirty-seven minutes south to the southern extremity of the said territory of New South Wales or South Cape in the latitude of forty-three degrees thirty-nine minutes south, and of all the country inland westward as far as the one hundred and thirty-fifth degree of east longitude reckoning from the meridian of Greenwich, including all the islands adjacent in the Pacific Ocean within the latitudes aforesaid of ten degrees thirty-seven minutes south and forty-three degrees thirty-nine minutes south."

Although in November, 1769, Captain Cook had taken possession of the North Island of New Zealand, and in January, 1770, also of the South Island, it is a matter of doubt whether, at the time when Captain Phillip's commission was drawn up, New Zealand was considered as one of the "islands adjacent in the Pacific Ocean." The southern extremity is beyond the south latitude named in the document; on the other hand, by the implication of the Supreme Court Act (Imperial), which in 1823 instituted a Supreme Court for New South Wales, and which expressly contemplates New Zealand as part of that colony, it would appear to have been recognised as in some sense a dependency. Various hoistings of flags notwithstanding, New Zealand does not appear to have unequivocally become British territory until 1840. In that year, on 29th January, Captain Hobson arrived at the Bay of Islands. On the following day he read the commission, which extended the boundaries of the colony of New South Wales so as to embrace and comprehend the Islands of New Zealand. On 5th February the Treaty of Waitangi, made with the native chiefs, was signed. Finally, on 21st May,

British sovereignty over the Islands of New Zealand was explicitly proclaimed. From that date until 3rd May, 1841. New Zealand was indubitably a dependency of New South Wales.

3. Annexation of Western Australia.—Exactly twelve years before New Zealand became a separate colony the western half of the Australian continent had become a British possession, for it was on 2nd May, 1829, that Captain Fremantle hoisted the British flag on the south head of the Swan River, and took possession of " all that part of New Holland which is not included within the territory of New South Wales." Thus, before the middle of 1829 the whole territory, now known as the Commonwealth of Australia, had been constituted a dependency of the United Kingdom.

This page last updated 4 April 2013

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